

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

JEFFERSON-PILOT INSURANCE COMPANY,)
)
 Plaintiff,)
)
 vs.) CASE NO.
) C-1-02-479
CHRISTOPHER L. KEARNEY,) (Judge Spiegel)
)
 Defendant.)

COPY

The deposition upon oral examination of VALERIE LOFTIN, being taken pursuant to Order and in accordance with the Federal Rules of Civil Procedure before Rebecca J. Huddy, Notary Public, at the Stratis Business Center, 7800 Airport Center Drive, Greensboro, North Carolina, on the 6th day of May, 2004, beginning at 11:00 a.m.

Reported By: Rebecca J. Huddy

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1 Q. Okay. And Mr. Big Brother, outside counsel?

2 A. Yes.

3 Q. Anyone else?

4 MR. ELLIS: For the record, my name is Ellis.

5 A. No, it would just be our internal counsel and
6 Mr. Ellis.

7 Q. Someone at DMS has interpreted your policy contrary to
8 the way that Jefferson-Pilot's people interpreted for
9 nine or ten years. That triggered the filing of a
10 lawsuit by Jefferson-Pilot. DMS has been brought into
11 the lawsuit. You're responsible for the DMS
12 relationship, and your sworn testimony is that you've
13 never had any dialogue, e-mail, written
14 correspondence, phone call with anyone at DMS about
15 this lawsuit or Mr. Kearney's claim?

16 MR. ELLIS: Objection, misstates the
17 evidence.

18 A. Not that I recall. I don't recall specific
19 conversations with anyone at DMS about Mr. Kearney's
20 claim or e-mails or correspondence.

21 Q. Do you recall nonspecific conversations?

22 A. I don't recall talking to anyone at DMS about Mr.
23 Kearney's claim.

24 Q. And do you recall speaking to anyone at DMS about the
25 issues involved in Mr. Kearney's claim, that is, the